

AVOCADO HEIGHTS ZONING STUDY STAFF REPORT

February 12, 2003

At the Regional Planning Commission public hearing held on December 18, 2002, staff presented to the Commission several revisions to the Avocado Heights Zoning Recommendations. Following public testimony, the Commission directed staff to perform additional research regarding issues of concern and to return with modifications to the draft CSD and recommended zone changes. The hearing was continued to February 12, 2003 to allow staff to hold a neighborhood meeting in conjunction with the Planning Advisory Committee to discuss with residents and property owners a zone change and conditional use permit for a proposed pallet yard on 2nd Ave. The following is staff's evaluation and response to each of the issues which were discussed at the RPC public hearing and a summary of the neighborhood meeting held in Avocado Heights.

1. Amend the Valley Blvd. area specific development standards section of the CSD to include a conditional use permit requirement for proposed industrial development on industrially zoned property which does not take access directly from Valley Blvd.

Because of the proximity of residential and industrial uses in the northern areas of Avocado Heights, many of the concerns raised by community members at the public hearings refer to truck traffic in residential areas. Most of the industrial uses are established along Valley Blvd. and as a result, loading/unloading, truck parking, and other activity associated with trucks have less of an impact on nearby residential uses. In some cases, industrial uses have established or are planning to establish themselves on narrower, intersecting streets near residences and as a result trucking activity may have a greater impact on surrounding land uses.

In order to address this issue through the CSD, staff was directed to amend the CSD to require a conditional use permit for the establishment of commercial and industrial uses on industrially zoned property not having direct access from Valley Blvd. This provision would allow County oversight of and neighborhood input regarding proposed commercial and industrial uses fronting on streets other than Valley Blvd. It would also provide a means to address issues of hours of operation, adequate on-site parking, and associated concerns. (Refer to page 10 of the CSD.)

Staff suggests the following language to be included in the Valley Blvd. Area Specific development standards section of the CSD:

All properties which do not take access directly from Valley Blvd. shall require a conditional use permit.

2. Amend zoning recommendations originally proposed for the area along Valley Blvd. between 3rd Ave. and 5th Ave. by rezoning all currently M-2 zoned properties to M-1½-BE.

One of the objectives of the zoning study is to reduce the intensity of industrial zoning in Avocado Heights where it is located in proximity to residential uses. The original proposal to rezone all the M-2 and M-1½ zoned properties along Valley Blvd. between 3rd and 5th Ave. to M-1 would have resulted in four nonconforming properties and would have significantly burdened those establishments which have been in existence for several years, three of which were established with the approval of a CUP. To reduce the number of nonconforming uses created as a result of the attempt to lessen the intensity of industrial zoning in Avocado Heights, staff was directed to rezone the heaviest industrial zoning category, M-2, to M-1½. In lieu of rezoning the M-1½ zoned properties and in order to provide County oversight of heavier M-1 uses and all M-1½ uses, a list of conditionally permitted uses has been created for the Valley Blvd. Area Specific development standards. (Refer to pages 10-12 of the CSD for a complete list of conditionally permitted uses). In addition, appropriate revisions have been made to the CSD to delete any reference to development standards applying to the M-2 zone. For further reference, the highlighted and underlined portions of the CSD have been recently modified from the version of the CSD presented to you at the December 18th hearing. The portions of the CSD which are only underlined were previously modified from the original version of the CSD presented at the October 21st hearing.

3. Amend the Valley Blvd. Area Specific development standards section of the CSD to allow Material Recovery Facilities (MRF's) as conditionally permitted uses in the M-1½ zone. Include a definition of MRF in the CSD.

A list of conditionally permitted uses in the M-1 zone is presently included in the Valley Blvd. Area Specific development standards section of the CSD in order to be able to impose conditions of use on heavier or potentially more disruptive industrial uses. There is presently no specific definition for MRF's in the zoning code. MRF's are currently included in the definition of waste disposal facilities which are allowed by CUP in the M-2 zone. In the County's efforts to reduce the intensity of zoning in Avocado Heights, the property upon which an existing MRF

is located is recommended for rezoning from M-2 to M-1½, which would make the use non-conforming. A zone change and CUP was originally approved in 1994 to allow for the MRF, operated by Athens Services. A new application was recently filed with DRP to authorize continued use of the MRF. To be consistent with past action taken by the County and to respond to the testimony given at public hearings, MRF's should be defined in the CSD and listed as a conditionally permitted use in the M-1½ zone. (Refer to page 12 of the CSD).

Staff suggests the following language to be included in the Valley Blvd. Area Specific development standards section of the CSD to define a Materials Recovery Facility (MRF):

Material Recovery Facility. *Material Recovery Facility shall mean any premises, establishment or place of business where the predominant activity is the processing of solid waste by recovering recyclable materials as well as transferring solid waste to an appropriate Waste Disposal Facility. All activity undertaken at such facility shall be performed within enclosed buildings. The definition of solid waste shall be consistent with that in California Public Resources Code Section 40191. This definition of Material Recovery Facility shall also include the placement, operation, maintenance and storage of any equipment used in the material recovery process, including waste disposal vehicles. Storage of waste disposal vehicles and processed recyclable material may occur outside of the enclosed building.*

4. Amend the Equestrian Area specific development standards allowing relief from the 5 foot setback standard for corrals and pasture areas, to require the notarized consent of the *current* property owner(s) along the shared property line(s). The development standard, as previously written, did not include the wording *current* property owner.

At the December 18th public hearing, staff was directed to revise the text of the setback development standard for the Equestrian Area Specific Development Standards. As previously written in the CSD, relief from a 5 foot setback requirement for corrals and pasture areas is granted by obtaining the written consent of the neighboring property owner(s). Staff was directed to insert the wording *current adjoining property owner(s)* as opposed to simply *adjoining property owner(s)*, so that in the event that an adjoining property should change hands, the subject property must also obtain the consent of the new adjoining property owner to allow continued relief from the setback requirement. (Refer to page 9 of the CSD.)

5. As part of the countywide effort to update General Plan designations on a parcel by parcel basis, staff recommends amending the General Plan Land Use Policy for specific properties to reflect the most appropriate land use.

The site of a proposed affordable housing development at the intersection of Workman Mill Rd. and 3rd Ave. has a General Plan designation of I (Major Industrial). In order to reflect the most appropriate future use of that area, a general plan designation of 2 (Low/Medium Density Residential) is recommended. A zone change of MPD to A-1-6000 for one of the properties is recommended in conjunction with the recommended change in general plan designation for the entire site. (See Recommended General Plan Amendments #1 for further discussion.)

Along 3rd Ave., south of the properties previously mentioned, the General Plan category is currently 1 (Low Density Residential) but the property is currently zoned MPD and is the site of an industrial/warehouse use. The property is also adjacent to a property in the City of Industry that is zoned for industrial uses and is currently the site of an industrial/warehouse establishment. Staff recommends that an industrial use is best suited for the site given the existing land use and zoning of the adjacent property. As a result, staff recommends a change in the General Plan designation from 1 (Low Density Residential) to I (Industrial). (See Recommended General Plan Amendments # 2 for further discussion.)

6. Hold a Planning Advisory Committee (PAC) meeting to discuss a possible zone change from A-1-6000 to M-1-BE for the property located at 126 S. 2nd Ave. to allow a proposed pallet storage and repair facility. Invite neighboring property owners to discuss their concerns and possible conditions to impose on the proposed facility.

Staff held a Neighborhood Meeting on January 22, 2003 at the Sunkist Library to discuss the above mentioned issue with neighbors of the subject property and PAC members. A summary of the meeting has been attached to the staff analysis. Some of the concerns of the neighboring property owners related to noise, truck traffic, and aesthetic issues. Of particular concern to the neighbors is the current lack of parking and the volume of truck traffic on 2nd Ave. and Mackenzie Ct. The establishment of the pallet yard, they feel, would worsen the current conditions. Much of the present situation on 2nd Ave. and Mackenzie Ct. is due to code violations, mainly the parking of cars belonging to the auto body use on the corner of 2nd Ave. and Valley Blvd. in the public right of way. The truck traffic is due to insufficient noticing on 2nd Ave. that it is not a through street. The trucks mistake 2nd Ave. for Bielec Ln. which is the next street over and services an industrial complex in the City of Industry. The trucks must therefore make a u-turn to get back onto Valley Blvd. Many of the meeting attendees stated that if the County took action to cite and prevent the code violators and put

more obvious signage on 2nd Ave. deterring truck traffic, then the pallet yard would be a much more acceptable use if operated in compliance with the suggested conditions for a CUP. (For a detailed list of concerns raised during the meeting and conditions desired see *Summary of Neighborhood Meeting*.)

7. Should the Commission so desire to take action on the following issue at this time, staff has included the following analysis.

As part of the recommended land use and zone changes, amend the General Plan land use category for the property located at 126 S. 2nd Ave. from 1 (Low Density Residential) to I (Major Industrial) and rezone the property from A-1-6,000 to M-1-BE.

The property is located between an auto repair use and an equipment rental establishment to the north, a fire station to the south, and an industrial use in the City of Industry abutting to the east which results in the subject property being surrounded on two sides with industrial uses. Residential uses are located across the street, but are built around a cul de sac which would reduce the impact of the intended light industrial use. The property has also been vacant for some time, which could have been due to the zoning designation being inappropriate for that particular property. As a result, staff has determined that a residential use, which is what the General Plan category and the zoning currently reflect, would not be an appropriate use for the property and a change in the General Plan designation from 1 (Low Density Residential) to I (Industrial), accompanied by a zone change from A-1-6,000 to M-1-BE is recommended. In addition, the property will be included in the Valley Blvd. Area Specific development standards, which requires a CUP for establishment of industrial uses not taking direct access from Valley Blvd., thereby ensuring that conditions of operation for any industrial use will be imposed. (See Recommended General Plan Amendments #3 for further discussion, as well as Summary of Neighborhood Meeting.)